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Counsel to Plaintiff RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re: ROCHESTER DRUG CO-OPERATIVE, INC. Debtor.	Chapter 11 Case No. 20-20230 (PRW)
Advisory Trust Group, LLC, as trustee of the RDC LIQUIDATING TRUST, Plaintiff, v. BERRY GLOBAL, INC. (f/k/a BERRY PLASTICS CORPORATION) Defendant.	Adv. Proc. No. 22-02064 (PRW)

SECOND STIPULATION EXTENDING TIME TO ANSWER COMPLAINT

Plaintiff, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC (“Plaintiff” or the “RDC Liquidating Trust”), successor in interest to Rochester Drug Co-Operative, Inc., and defendant, Berry Global, Inc. (f/k/a Berry Plastics Corporation) (“Defendant”, and together with Plaintiff, the “Parties”), by and through their undersigned attorneys, hereby stipulate and agree as follows:

WHEREAS, on February 3, 2022, Plaintiff filed a complaint (the “Complaint”) against Defendant;

WHEREAS, the summons (the “Summons”) was issued on February 4, 2022;

WHEREAS, on February 4, 2022, Defendant was served with the Summons and Complaint; and

WHEREAS, on February 11, 2022, the Parties entered into a stipulation (the “First Stipulation”) by which the time required for Defendant to answer the Complaint was extended through and including April 15, 2022. The First Stipulation was approved by order entered February 14, 2022.

The Parties hereby stipulate and agree to the matters set forth below:

1. The Parties continue to negotiate and exchange information and have agreed, subject to Court approval, to further extend the time for the Defendant to answer the Complaint to and including June 15, 2022.

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2. All other terms set forth in the First Stipulation remain in full force and effect.

Respectfully submitted,

Dated: April 14, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Ilan D. Scharf

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Dated: April 14, 2022

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*Counsel to Defendant Berry Global, Inc. (f/k/a
Berry Plastics Corporation)*

SO ORDERED:

DATED: _____, 2022
Rochester, New York

HON. PAUL R. WARREN